

### **REMARKS**

Applicants' representative would like to thank the Examiner Sayoc for the courtesies extended during an interview conducted March 8, 2006. During the interview, Applicants' representative noted that the allowance of Claims 1-29 and 71 has been removed. Arguments were presented to the Examiner that the cited art of record fails to teach a scroll machine having an oil sump disposed between an outer shell of the scroll machine and a mounting frame of the scroll machine and, as such, Claims 1-29 and 71 should still be in condition for allowance. The Examiner agreed with Applicants' representative and agreed to withdraw the rejection of Claims 1-29 and 71.

Based on the foregoing, Applicants have cancelled Claims 30-70 and 72-74 in favor of new Claims 75-120. Each of independent Claims 75 and 76 recite a scroll machine having an oil sump disposed between an outer shell of the scroll machine and a mounting frame of the scroll machine. Because the cited art of record fails to teach such a relationship, Applicants respectfully submit that independent Claims 75 and 76, as well as Claims 77-120, respectively dependent therefrom, are in condition for allowance.

Claims 1-29, 71, and 75-120 are now pending in the application. By this paper, Claims 30-70 and 72-74 have been cancelled without prejudice or disclaimer of the subject matter contained therein and Claims 75-120 have been added. The basis for these new claims can be found throughout the specification, claims, and drawings originally filed. No new matter has been added. The following remarks are believed to be fully responsive to the outstanding Office Action and are believed to place the

application in condition for allowance. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

#### **REJECTION UNDER 35 U.S.C. § 103**

Claim 30 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Doecker et al. (U.S. Pat. No. 6,213,731) and Suefuji et al. (U.S. Pat. No. 6,267,572).

Claims 1-29, and 31-74 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Doecker et al. (U.S. Pat. No. 6,213,731) as modified by Suefuji et al. (U.S. Pat. No. 6,267,572), as applied to related structure in the rejection of Claim 30, and in further view of Osada et al. (JP 10-037866).

These rejections are respectfully traversed.

At the outset, Applicants respectfully submit that this rejection is moot with respect to Claims 1-29 and 71, as the Examiner has removed the rejection to Claims 1-29 and 71 during the interview of March 8, 2006, as noted above. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

Applicants respectfully submit that this rejection is moot with respect to Claims 30-70 and 72-74, as Claims 30-70 and 72-74 have been cancelled without prejudice or disclaimer of the subject matter contained herein. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

#### **NEW CLAIMS**


New Claims 75-120 are added for consideration and are believed to be in condition for allowance in light of the foregoing remarks.

## CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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